

**REMARKS**

Claim 6 has been amended to define the arrangement of the magnetic field generator .  
Support for amended Claim 6 can be found on page 18, lines 10-25. Claim 21 has been added.  
Support for Claim 21 can be found on page 18, lines 10-25. Upon entry of this Amendment,  
which is respectfully requested, Claims 2-21 will be pending, of which Claims 2-5 and 7-19 have  
been withdrawn from consideration.

**Response to Claim Rejection Under § 103**

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito et al. (JP  
2001-338912) or Morimoto (JP 2001-077095) in view of Nishijima et al. (JP 06-181187).

Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito et al. (JP  
2001-338912) or Morimoto (JP 2001-077095) in view of Arami et al. (U.S. Patent No.  
6,014,943).

Applicants respectfully traverse.

Present Claim 6 relates to a magnetic field generator for magnetron plasma characterized  
in that the magnetic field generator comprises an upper magnetic field generating mechanism  
and a lower magnetic field generating mechanism, wherein the upper and lower magnetic field  
generating mechanism are arranged such as to be brought closes to each other and moved away  
from each other, thereby to control a strength of said multi-pole magnetic field in said process  
chamber.

In contrast, Nishijima discloses that the location of the upper permanent magnet 21 is  
adjusted with respect to an upper electrode 16, and likewise, the location of the lower permanent

magnet 31 is adjusted relative to a lower electrode 17. *See*, paragraph [0063]. Thus, Nishijima fails disclose or suggest an adjustment of a gap between the upper magnetic field generating mechanism and the lower magnetic field generating mechanism. In other words, Nishijima merely discloses the location adjustment between the upper permanent magnet 21 and the upper electrode 16, and likewise, the location adjustment between the lower permanent magnet 31 and the lower electrode 17.

According to the present invention, the multi-pole magnetic field strength in the process chamber is controlled by adjusting the gap between the upper and lower magnetic field generating mechanism, which adjustment is carried out by bringing them close to each other or moving away them from each other. Nishijima does not disclose or suggest this gap adjustment technique without improper hindsight.

Morimoto fails to make up for the deficiencies of Nishijima. Thus, Morimoto and Nishijima fail to render obvious the present Claim 6.

Claim 20 is patentable at least by virtue of its dependence from Claim 6.

Regarding Claim 21, Claim 21 is patentable for at least the same reason discussed above with regard to Claim 6.

Withdrawal of the rejections is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)  
U.S. Application No.: 10/525,240

Attorney Docket No.: Q86264

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Howard L. Bernstein/

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

---

Howard L. Bernstein  
Registration No. 25,665

Date: March 2, 2009